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Before the  
Federal Communications Commission  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Petition by the United States Dept.	)	NSD-L-99-24
Of Transportation for Assignment	)	
Of an Abbreviated Dialing Code (N11)	)	
To Access Intelligent Transportation )	)	
System (ITS) Services Nationwide	)	
	)	
Request by the Alliance of Information	)	
And Referral Systems, United Way of	)	NSD-L-98-80
America, United Way 211 (Atlanta, )	)	
Georgia), United Way of Connecticut,	)	
Florida Alliance of Information and	)	
Referral Services, Inc., and Texas	)	
I&R Network for Assignment of 211 )	)	
Dialing Code	)	
	)	
The Use of N11 Codes and Other	)	CC Docket No. 92-105
Abbreviated Dialing Arrangements	)	

**To: The Commission**

**Reply Of Nextel Communications, Inc.**

**I. INTRODUCTION**

Pursuant to Section 1.429(a) of the Rules of the Federal Communications Commission ("Commission"), Nextel Communications, Inc. ("Nextel") respectfully submits this Reply to the Oppositions and Comments submitted on April 12, 2001 in the above-referenced proceedings. These Oppositions and Comments were submitted in response to Petitions for Reconsideration and/or Clarification of the Third Report and Order and Order on Reconsideration ("Order") that were filed by Nextel and other wireless carriers.<sup>1</sup>

<sup>1</sup> See Third Report and Order and Order on Reconsideration, FCC 00-256, released July 31, 2000.

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Deployment of 511. The Order requires that telecommunications carriers, including Commercial Mobile Radio Service (“CMRS”) providers such as Nextel, implement 511 for the provision of intelligent transportation systems information. Nextel sought reconsideration of the Commission’s decision to limit the provision of 511 travel services solely to governmental entities, and reiterates that position herein. Nextel is not, as suggested by some commenters, attempting to avoid the provision of travel information services via 511.<sup>2</sup> On the contrary, Nextel seeks the opportunity to provide effective, efficient and consistent travel information services from state-to-state on its nationwide digital network,<sup>3</sup> and Nextel wants those services to be available via 511 as intended by the Commission. Traffic and travel information could become a competitive CMRS service if government agencies are not given the only opportunity to provide the content of those services. Competition, as the Commission has recognized, results in numerous public interest benefits.<sup>4</sup>

As Nextel suggested in its Petition for Reconsideration, the Commission can allow competition to develop in 511 services while also ensuring it is deployed in a time frame acceptable to state and local governments. If a state has its own intelligent transportation system and is prepared to deploy 511 services on both wireline and wireless networks, the Commission could require all wireless carriers not already

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<sup>2</sup> See Opposition of the American Public Transportation Association to Petitions for Reconsideration (“APTA”) at p. 5 (“Permitting wireless carriers to ‘opt out’ of assignment would fatally harm deployment efforts.”)

<sup>3</sup> See also Comments of AT&T Wireless Services, Inc. at p. 7-8.

<sup>4</sup> See generally, *Implementation of Section 6002 of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services*, Fifth Report, FCC 00-289, released August 18, 2000.

providing travel information services to translate 511 to the state's system and offer the state's travel information services. However, if a carrier has already deployed competitive travel information services, the Commission should permit it to continue providing those services rather than replacing them with the state's services.<sup>5</sup> Such flexibility will ensure that travel information services are deployed in a timely fashion throughout the U.S., that customers will enjoy the benefits of competition for travel information services, and that customers are provided a consistent nationwide or regional service on the systems of those wireless carriers choosing to deploy their own travel services. Moreover, this flexibility would not slow 511 deployment as states would continue to pursue their solutions and deploy them via 511 on those carriers' systems without a competitive travel information service.

Deployment of 211. Nothing in the Comments and Oppositions submitted in this proceeding provide any additional guidance for carriers facing multiple requests for 211 services from "community services" organizations. The implementation issues raised by Nextel and other wireless carriers are significant and will prevent efficient use of 211 for the provision of community referral information. Although the California Alliance of Information and Referral Services and Info Line of Los Angeles ("CAIR and Info Line") would prefer to "move forward with all due speed [despite] wireless carriers' implementation concerns,"<sup>6</sup> the Commission cannot ignore these implementation issues. Until wireless carriers know what entities are entitled to use 211 for reaching their

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<sup>5</sup> Moreover, if a carrier deploys the state's 511 services and later decides to deploy its own travel information services, the carrier should have to authority to send its customers to its own services via 511.

<sup>6</sup> Opposition of CAIR and Info Line at p. 3.

services, Nextel and other carriers cannot translate 211 calls to any particular entity. This particular implementation issue, therefore, is critical to 211 deployment.

Moreover, without some clarification of 211 eligibility, the public interest will not be served because consumers will not know what services they can reach by dialing 211. If the Commission's goal, as stated in the Order, is to "bring community information and referral services to those who need them, providing a *national* safety network for persons to get access readily to assistance[,]"<sup>7</sup> then the Commission must ensure that 211 is deployed uniformly and consistently throughout the nation. Even allowing state public utilities commissions to determine eligibility criteria on a state-by-state basis would, to some extent, lessen the effectiveness of 211 services as states may have differing decisions regarding eligibility. Dialing 211 must mean the same thing to users in Northern Virginia as it means to users in Atlanta, Georgia. Otherwise, potential 211 callers will not know what information is available when calling 211. Only by clarifying what entities are entitled to 211 access can the Commission fulfill these public interest goals.

Nextel continues to support the establishment of only one 211 number per state, thereby reducing the number of technical complexities wireless carriers face in routing and deploying all N11 codes. The smaller the geographic area of a 211 entity, the greater the likelihood of misrouting a 211 call. The Commission can ensure more uniformity and more certainty for consumers by requiring that wireless carriers deploy 211 on a statewide basis. This would provide a simpler, more effective community information

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<sup>7</sup> Order at para. 19 (emphasis added).

and referral service for wireless subscribers.<sup>8</sup> Recognizing the complex routing issues created by wireless services, Nextel respectfully requests that the Commission reduce their impact by deploying 211 services on a state-by-state basis. Attempting to deploy 211 on a more local level will result in customer confusion and inconsistent service, thus potentially defeating the Commission's 211 deployment goals.

## **II. CONCLUSION**

For the reasons discussed herein, Nextel respectfully requests that the Commission reject the oppositions, and reconsider and clarify its decisions on 511 and 211 deployment.

Respectfully submitted,

NEXTEL COMMUNICATIONS, INC.

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<sup>8</sup> To address more local needs, the statewide 211 number could be a clearinghouse to connect callers to a local entity capable of responding to the caller's particular need.

CERTIFICATE OF SERVICE

I, Rochelle L. Pearson, hereby certify that on this 23rd day of April 2001, caused a copy of the attached Reply Comments of Nextel Communications, Inc. to be served by first-class mail, postage prepaid to the following:

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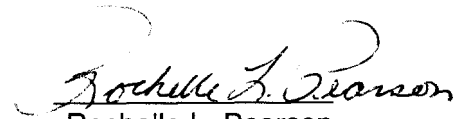
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